

6 DISTRICT COURT OF GUAM  
7 TERRITORY OF GUAM  
8

9 In re

10 PROCEDURES FOR FILING, SIGNING,  
11 VERIFICATION AND SERVICE OF  
12 DOCUMENTS BY ELECTRONIC MEANS.

GENERAL ORDER NO. 04-0011

13 **ORDER ADOPTING CASE MANAGEMENT/ELECTRONIC**  
14 **CASE FILES (CM/ECF) ADMINISTRATIVE PROCEDURES**

15 Pursuant to Federal Rules of Civil Procedure 5(b)(2)(D) & (e) and 83, Federal Rules of  
16 Bankruptcy Procedure 5005(a)(2), 7005, 9011 and 9029, and Local Rule LBR 5005-1,

17 **IT IS HEREBY ORDERED:**

18 1. The Case Management/Electronic Case Files (CM/ECF) Administrative  
19 Procedures for the Electronic Filing, Signing, Verifying, and Serving of Documents ("CM/ECF  
20 Administrative Procedures"), attached hereto as an exhibit, are adopted for use in all  
21 Bankruptcy cases and proceedings in the District Court of Guam.

22 2. The electronic filing of a document in accordance with the CM/ECF  
23 Administrative Procedures constitutes the filing of the document for all purposes of the Federal  
24 Rules of Bankruptcy Procedure and the Local Rules of this court, and constitutes the entry of  
25 the document on the docket by the clerk under Fed. R. Bankr. P. 5003.

26 3. When a document has been filed electronically or filed in paper form and  
27 its image electronically recorded by the court, the official record is the electronic recording of  
28 the document as stored by the court. The clerk shall not be required to retain any documents

1 after making an electronic recording thereof consistent with the technical standards, if any,  
2 established by the Judicial Conference of the United States and the requirements, if any,  
3 prescribed by the Administrative Office of the United States Courts. The clerk shall issue,  
4 pursuant to Fed. R. Bankr. P. 5006, a certified copy of any document maintained by such  
5 electronic recording or as described in paragraph 4 below.

6           4. The CM/ECF Administrative Procedures identify as “virtual documents”  
7 certain documents (including some orders) which are frequently used by trustees and the court  
8 and the text of which does not vary from case to case. A virtual document consists entirely of  
9 the text contained in the docket entry and is not embodied in a separate document or electronic  
10 recording. The docket entry for virtual documents shall be fully effective despite the absence  
11 of a document or electronic recording apart from the docket entry.

12           5. The use of an individual’s court-assigned login and password in the  
13 electronic filing of a document shall constitute the signature of that individual for all purposes,  
14 including those under Fed. R. Bankr. P. 9011 and 28 U.S.C. § 1746, and shall have the same  
15 force and effect as if the individual had affixed that individual’s signature on a paper copy of  
16 the document being filed.

17           6. The declarations or certifications required by a debtor on the petition and  
18 accompanying schedules and statements, any amendments thereof, and other documents  
19 specified in the CM/ECF Administrative Procedures shall be made by filing (in paper form) a  
20 Declaration re: Electronic Filing with the original signature of each individual or joint debtor,  
21 or the original signature of an authorized individual on behalf of a debtor that is a corporation,  
22 partnership, or other artificial entity. The Declaration re: Electronic Filing shall be filed not  
23 later than 5 business days after the date of the electronic filing of the subject document(s).  
24 Failure to file a timely Declaration re: Electronic Filing may result in dismissal of the case  
25 without further notice or a hearing.

26           7. A judgment or order filed electronically by the court without the original  
27 signature of a judge has the same force and effect as if the judge had affixed the judge’s  
28 signature to a paper copy of the order or judgment. The electronic filing by the court of a

1 judgment or order shall satisfy the requirements for the clerk to keep records under Fed. R.  
2 Bankr. P. 5003 and 9021. Electronic transmission through the CM/ECF system of a notice of  
3 electronic filing and a link to the image of a judgment or order entered on the docket shall  
4 constitute service and notice of the entry to those persons who have consented in writing to  
5 accept electronic service or notice in accordance with Fed. R. Bankr. P. 9022 and Fed. R. Civ.  
6 P. 5(b). Such consent is required as a condition for participation as a registered user in the  
7 CM/ECF system. The clerk may serve notice of the entry of a judgment or order by  
8 transmitting a notice of electronic filing through the CM/ECF system.

9           8. A party may serve and give notice of a document through use of the court's  
10 transmission facilities to the maximum extent permitted by the Federal Rules of Bankruptcy  
11 Procedure. Electronic transmission of a notice of electronic filing and the link to the image of  
12 the document being filed shall constitute service and notice to those persons who have  
13 consented in writing to accept electronic service or notice. Such consent is required as a  
14 condition for participation as a registered user in the CM/ECF system.

15           9. The court may dismiss, after notice and a hearing, any case commenced  
16 with the filing of an electronically filed petition where the petition is submitted:

- 17           a. By a person who may not be a debtor at the time the petition is  
18           submitted, pursuant to 11 U.S.C. § 109 or by court order;  
19           b. Without the required filing fee;  
20           c. Without a mailing matrix; or  
21           d. Without the list of creditors holding the 20 largest unsecured  
22           claims, if a chapter 11 case.

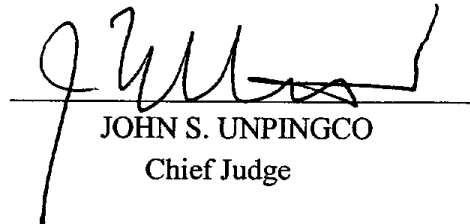
23           10. The court may expunge an electronically filed document requiring a fee  
24 where payment of the fee is not made during the electronic filing or by such other time  
25 specified in the CM/ECF Administrative Procedures. After notice and a hearing, the  
26 court may also impose appropriate sanctions on the filing individual for failure to pay the  
27 filing fee.

28           11. A summons in an adversary proceeding and a summons to a debtor in an

1 involuntary case containing the name of the clerk, the image of the seal of the court, and the  
2 identification of the court will be available for downloading from the court's website. Such a  
3 summons, once completed in accordance with Fed. R. Civ. P. 4 and dated on or after the date  
4 of the filing of a complaint or an involuntary petition, shall be deemed to be a valid summons  
5 signed, sealed, and issued by the clerk.

6 12. This order and the CM/ECF Administrative Procedures shall govern in  
7 the event of any conflict with a provision set forth by local rule or prior general order.

8 13. The CM/ECF Administrative Procedures shall take effect April 5, 2004.  
9 SO ORDERED this 24<sup>th</sup> day of March, 2004.

10  
11   
12 JOHN S. UNPINGCO  
13 Chief Judge  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



**DISTRICT COURT OF GUAM  
Bankruptcy Division**

**Case Management**

*CM / ECF*

**Electronic Case Files**

**ADMINISTRATIVE PROCEDURES  
FOR THE ELECTRONIC FILING, SIGNING,  
VERIFYING AND SERVING OF DOCUMENTS**

March 24, 2004

## **I. SCOPE OF CM/ECF PROCEDURES**

### **A. Applicability**

The provisions of these Administrative Procedures for the filing of documents through the Case Management / Electronic Case Files (“CM/ECF”) system apply in all pending Bankruptcy cases and proceedings in the District Court of Guam. These procedures contain provisions for both the electronic filing of documents through the Internet and the filing of paper documents and their electronic recording and storage by the court.

### **B. Participation**

A person registered as a full or limited participant in the CM/ECF system (“ECF User”) may file documents in accordance with these procedures. Non-ECF Users, including pro se parties, shall continue to file documents conventionally by submitting paper documents to the court.

## **II. CONSEQUENCES OF ELECTRONIC FILING**

### **A. Effectiveness of Electronically Filed Document**

The electronic filing of a document consistent with these procedures, together with the transmission of a Notice of Electronic Filing from the court, constitutes the filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and Local Rules of this court, and constitutes entry of the document on the docket by the Clerk under Fed. R. Bankr. P. 5003. The official record of all documents is the electronic recording of the document as stored by the court.

### **B. Time of Filing**

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight Chamorro Standard Time (ChST) in order to be considered timely filed that day. The date and time of filing is that stated on the Notice of Electronic Filing from the court. This time stamp is based on the time of the electronic receipt of the document by the court, not by the time of transmission by the ECF User.

### **C. Virtual Documents.**

Virtual documents are certain documents (including some orders) which are frequently used by trustees and the court and the text of which does not vary from case to case. A virtual document consists entirely of the text contained in the docket entry and is not embodied in any other document or electronic recording. The docket entry for a virtual document shall be fully effective despite the absence of a document or electronic recording apart from the docket entry. Examples of

virtual documents are a trustee's report of no distribution, a trustee's initial report in an asset case, and a final decree closing the case.

### III. SIGNATURES

#### A. Filing Party

1. **Use of login and password.** The use of a login and password assigned to an ECF User in the electronic filing of a document shall constitute the ECF User's signature on the document, for purposes of Fed. R. Bankr. P. 9011, 28 U.S.C. § 1746, the Local Rules of this court, and any other purpose for which a signature is required in connection with matters before the court.
2. **Signature block.** Electronically filed documents must include a signature block for the ECF User filing the document. The signature block shall contain either an image of the filing party's signature or "/s/" followed by the name of the filing party (e.g., "/s/ Jane Q. Doe").
3. **Authority to sign.** An ECF User may authorize one or more employees or office staff members to use the ECF User's login and password for the electronic filing of a document. No ECF User or other person may knowingly permit or cause to permit an ECF User's login and password to be used by anyone other than an authorized agent of the ECF User, and all ECF Users shall take reasonable precautions to prevent such unauthorized use. The use of the ECF User's login and password, whether authorized or not, constitutes the ECF User's signature on the document for all purposes, including those under Fed. R. Bankr. P. 9011.
4. **Virtual documents.** The use of the trustee's ECF User's login and password shall constitute the trustee's signature on a virtual document. A virtual document that is a court notice or order entered by the court shall be deemed signed by the individual whose name appears as Judge or Clerk.

#### B. Party Other than Filing Party

Except for a document requiring the filing of a Declaration re: Electronic Filing as described in section III.C. below, a document requiring the signature of a person other than the filing party must contain an image of the other party's signature. An ECF User may satisfy this requirement by attaching to the document a counterpart signature page containing an image of the other party's signature. Seals may be noted by expressions such as "Legal Seal," "L.S.," "Notary Seal," etc., if the seal is not readily apparent in the scanned image of the document. The electronic filing of a document signed by a person other than the ECF User shall be deemed to include the ECF User's representation to the court that, to the best

of the ECF User's knowledge, the document is a true and correct copy of the original document bearing such other person's signature.

**C. Declaration re: Electronic Filing**

1. **Requirement.** The declarations and certifications by a debtor required on the petition, the accompanying schedules and statements, any amendments thereof, and, if a chapter 13 case, the proposed plan, shall be made by filing (in paper form) a Declaration re: Electronic Filing with the original signature of each individual or joint debtor, or the original signature of an authorized individual on behalf of a debtor that is a corporation, partnership or other artificial entity. The use of the ECF User's login and password in the filing of a bankruptcy petition shall be a representation to the court that, at the time of filing, the filing party is in possession of a copy of the petition with the original signature of the debtor(s) or a Declaration re: Electronic Filing with the original signature(s) of the debtor(s).
2. **Time to file.** The Declaration re: Electronic Filing shall be filed not later than 5 business days after the date of the electronic filing of the subject document(s). Failure to file a timely Declaration re: Electronic Filing for the petition may result in dismissal of the case without further notice or a hearing. Failure to file a timely Declaration re: Electronic Filing for documents other than the petition may result in striking such documents from the docket.

**IV. ELIGIBILITY, REGISTRATION, TRAINING, PASSWORDS**

**A. Eligibility**

1. **Full participants.** Attorneys admitted to practice before the District Court of Guam, including those admitted *pro hac vice*, United States Trustees and their assistants, trustees in bankruptcy and their assistants, attorneys representing the United States of America, and others as the court deems appropriate, may register as full participant ECF Users.
2. **Limited participants.** The court may designate additional individuals or entities as eligible for registration as limited participant ECF Users. Such ECF Users may be limited to filing electronically certain types of documents, such as proofs of claim, or limited to filing documents in a particular case or proceeding.

**B. Registration**

1. **Registration form.** Registration as a full or limited ECF User shall be made by using a form prescribed by the clerk. At a minimum, the form



will require the registrant's name, address, telephone and fax numbers, e-mail address, and, if the registrant is an attorney, a statement that the attorney has been admitted to practice before this court. The registration form is available at the court's website: [www.gud.uscourts.gov](http://www.gud.uscourts.gov). A completed registration form may be delivered in person or by mail to: Clerk, District of Court of Guam, 4<sup>th</sup> Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagatna, Guam 96910.

**2. Registration as consent to receive notice and service electronically.**

Submission to the court of a completed and signed registration form by a full participant ECF User shall constitute: (i) consent in writing to receive notice electronically and waiver of any right to receive notice by any other means; and (ii) consent in writing to electronic service, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004 and service of a motion in a contested matter under Fed. R. Bankr. P. 9014, and waiver of any right to service by any other means. The waiver includes, without limitation, notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022. The consent and waiver is effective upon activation of the full participant ECF User's login and password in the ECF live database.

**C. Training**

The court will provide training as necessary to attorneys and other registrants for participation in the CM/ECF system. Training may be a combination of classroom and online computer based training (CBT). Following registration, an ECF User applicant will be issued a login and temporary password limited to use in the CM/ECF training database (<https://ecf-train.gub.uscourts.gov>). The court may require satisfactory completion of a training program as qualification for CM/ECF participation and issuance of a password for use in the "live" database. Training may be modified or waived by the court for a limited ECF User or a full participant ECF User registered as an ECF user in another district.

**D. Login and Password**

- 1. Full activation.** After satisfactory completion of training, a registrant will receive a password for filing documents in the "live" database (<https://ecf.gub.uscourts.gov>).
- 2. Use of login and password.** The login and password assigned to an ECF User shall be used exclusively by the registered ECF User and any non-attorney employee or staff member explicitly authorized by the ECF User to use the login and password. The ECF User shall not knowingly permit use of the login and password by any person not so authorized, shall take reasonable steps to prevent such unauthorized use, and shall be fully responsible for all use of the login and password whether authorized or

unauthorized. If authorization to use a login and password is withdrawn (e.g., when a staff member leaves employment) or if unauthorized use of a login and password is suspected, the ECF User shall forthwith select and activate a new password for use in the ECF system. The ECF User also shall immediately notify the court's Clerk's Office upon learning of any unauthorized use. Failure to change the password and notify the court under the aforementioned circumstances may result in sanctions against the registered ECF user.

3. **Suspension or cancellation by court.** Upon appropriate notice and for cause shown, the court at any time may suspend or cancel an ECF User's use of a login and password. The court may require that additional training be taken in order to reactivate ECF participation.
4. **Withdrawal.** An ECF User may withdraw from ECF participation by giving notice of not less than 30 days to all parties in matters in which the ECF User is a party or represents a party. Such withdrawal will be deemed to be cancellation of the consent to receive notice and service by electronic means, unless otherwise stated in writing by the withdrawing party.

## **V. ELECTRONIC FILING PROTOCOLS**

### **A. Format**

A document, except a creditor mailing matrix, filed electronically must be submitted as a Portable Document Format ("PDF") file. Such files may be created by using Adobe® Acrobat® software or through certain other software for word processing and scanning of documents. In creating the PDF file, the "Document Security" must be the "No Security" default setting in order for the PDF document to be filed in the CM/ECF system.

### **B. Size of Documents**

Document files must be no larger than 2 megabytes (MB) in size, or approximately 40 pages of text in a standard word processing format, converted into a PDF image. A file containing non-text items such as scanned photographs may be considerably larger, requiring adjustment before electronic transmission is attempted. Transmission of a large document as a single file may not be successful due to security constraints on the length of time taken by an electronic filing. Large-sized documents should be broken down into sections and filed as consecutively numbered attachments.

### **C. Name of Docket Entry**

The ECF User shall select the most appropriate description of the type of

document from the docketing event “pick list” presented. The ECF User shall call the Clerk’s Office for assistance if the type of document to be filed does not appear as a selection. The ECF User may add appropriate descriptive text before submitting the final docket text entry.

**D. Single Docket Entry**

All documents with exhibits and attachments capable of electronic imaging and filing shall be filed together as a single docket entry. Related documents generally signed by the filing individual, such as supporting memoranda, declarations, etc., may be filed separately but, if available for filing at the same time, should be filed as attachments to the underlying document in a single docket entry.

**E. Attachments and Exhibits**

1. **Identification of attachments.** Each attachment to a document must be concisely but adequately identified in additional text. E.g.: *Declaration of Jane Doe in Support of Motion*. A large document being broken down to 2 or more smaller sized attachments should clearly identify the sections. E.g.: *Memorandum in Support - Part 1; Memorandum in Support - Part 2*, etc. Documents related to a motion or other pleading which are not available for attachment to the main document may be filed later as a separate document. E.g.: *Declaration of Jane Doe* (relating it to the underlying motion or other pleading).
2. **Compound documents.** As an alternative to attaching separate documents to a main document, a series of related documents may be filed together as a single PDF file, subject to the 2 MB size restriction of the file. E.g.: *Motion with Memorandum in Support and Declaration of Luke Lender*.
3. **Relevant excerpts only.** An exhibit to an electronic filing shall include only excerpts of the referenced document that is directly germane to the matter under consideration by the court. Excerpted material must be clearly and prominently identified as such. A party filing excerpts of a document under this provision does so without prejudice to the right to file timely additional excerpts or the complete document. A responding party may file timely additional excerpts or the complete document that the party believes to be directly germane to the subject matter.

**F. Proofs of Claim**

1. **Supporting documents.** Only documents that are necessary to show the basis for the amount of the claim and the basis for any secured claim or perfected security interest should be filed as attachments to a proof of claim. Thus, a creditor should file a summary of invoices rather than

copies of the invoices themselves. A summary or excerpt should be clearly and prominently identified as such. A creditor filing a summary or excerpt does so without prejudice to the right to file additional supporting documents or complete exhibits.

2. **Claims filed by debtor or trustee.** A debtor's attorney or a trustee electronically filing a proof of claim on behalf of a creditor under Fed. R. Bankr. P. 3004 shall be responsible to give the notice of the filing to the creditor, debtor and trustee as required by Rule 3004. A form of notice is available from the clerk's office.

**G. Mailing Matrix**

The creditor mailing matrix to accompany an electronically filed bankruptcy petition shall be formatted according to the CM/ECF Style Guide issued by the Clerk of Court. The matrix shall be prepared as a .txt file and uploaded immediately after the petition is filed. An amended matrix shall also be prepared as a text file (.txt) for uploading, containing only the names and addresses being added to the matrix.

**H. Sealed Documents**

A motion to file one or more documents under seal may be filed electronically, unless the Court specifically directs that it be filed conventionally. The motion to seal and any attachments may be redacted to protect confidential information. Unredacted sealed documents must not be filed electronically. Rather said documents shall be submitted in paper form to the Clerk's Office in a sealed envelope with a paper copy of the motion, or later filed in paper form in a sealed envelope with a paper copy of the order authorizing them to be filed under seal.

**I. Emergency Motions**

An emergency motion or other matter requiring expedited attention by the court, such as an application for a temporary restraining order or a motion for a protective order, may be filed electronically in the same manner as other documents. The moving party shall contact the Clerk's Office by telephone at (671) 473-9100 to alert the court to the filing and emergency nature of the motion.

**J. Verification of Document Image**

An ECF User shall verify, by checking the link in the Electronic Notice of Filing or by reviewing the docket within 2 business days after the electronic filing, that the image of the document filed is a correct and complete copy of the document intended to be filed. An ECF User shall immediately notify the court of the discovery of an incorrect or incomplete image of a document.

**K. Anti-Virus Software**

Each ECF User shall utilize updated anti-virus software at all locations from which Internet ECF access is made. The filing party must check all electronic files submitted on disk or transmitted by e-mail to the clerk's office or a judge's chambers for viruses and worms.

**VI. PAYMENT OF FILING FEES**

**A. Mandatory Use of Credit Card Program**

Fees due for the electronic filing of documents through the Internet shall be paid through the U.S. Treasury Internet credit card program. It is the ECF User's responsibility to maintain a credit limit adequate to cover all filing fees due.

**B. Filings: 9:00 a.m. - 9:00 p.m.**

For filings made between 9:00 a.m. and 9:00 p.m. Chamorro Standard Time (ChST), an ECF User may select "Pay Now" or "Continue Filing" on the payment screen. If "Continue Filing" has been selected so as to pay multiple filing fee events with a single payment, the payment for all fees due shall be made not later than 9:00 p.m. ChST of the same calendar date.

**C. Filings: 9:00 p.m. - 9:00 a.m.**

For filings between 9:00 p.m. and 9:00 a.m. ChST, an ECF User must select "Pay Now" for immediate payment at the conclusion of the particular filing fee event.

**D. Deferral / Waiver of Fees**

An ECF User who believes that the fee for a particular event may be deferred or waived by the court shall file a separate request for such deferral or waiver at the time of filing the document requiring a fee.

**VII. SERVICE OF DOCUMENTS BY ELECTRONIC MEANS**

**A. Consent to Electronic Service**

ECF Users shall be required to consent to service of all documents except a summons and copy of a complaint as a condition of full participation in the CM/ECF system. The consent is effective upon activation of the ECF User's login and password in the ECF live system. An entity which is not a registered ECF User may consent in writing to electronic service of all documents, except a summons and copy of a complaint and a motion in a contested matter, through the

CM/ECF system by completing a court-approved consent form available at the court's website. The consent shall apply in all cases in which the consenting entity is a party. The entity may withdraw the consent to electronic service by giving notice of not less than 30 days to all parties in matters in which the entity is a party.

**B. Notice of Electronic Filing**

Each entity electronically filing a document must transmit a Notice of Electronic Filing to parties entitled to service or notice under the Federal Rules of Bankruptcy Service and the Local Rules. The Notice of Electronic Filing must be transmitted by e-mail, hand delivery, fax, or by first class mail postage prepaid. Electronic transmission of the Notice of Electronic Filing through the court's transmission facilities constitutes service or notice of the filed document to those parties who have consented in writing to accept such service or notice. A paper copy of the Notice of Electronic Filing, together with a paper copy of the electronically filed document, shall be served in accordance with the Federal Rules of Bankruptcy Procedure and the Local Rules, upon parties not deemed to have consented in writing to electronic service or notice.

**VIII. SUBMISSION OF PROPOSED ORDERS**

**A. Orders Requiring Judge's Signature Only**

Orders requiring only the judge's signature may be submitted in electronic form, in a standard word processing format, such as WordPerfect® or Word®, which may be edited as necessary by the judge. The proposed order or other document may be submitted to the judge on a computer diskette or by e-mail to [chambers@gub.uscourts.gov](mailto:chambers@gub.uscourts.gov).

**B. Orders Requiring Additional Signatures**

Orders requiring the signatures of one or more parties in addition to that of the judge should be submitted in paper form.

**IX. NOTICE OF ORDERS AND JUDGMENTS**

**A. Electronic Transmission**

Immediately upon the entry of an order or judgment, the clerk will transmit to ECF Users in the case or proceeding a Notice of Electronic Filing through the court's transmission facilities. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Fed. R. Bankr. P. 9022.

**B. Notice by Mail**

To the extent required by Fed. R. Bankr. P. 9022, the clerk shall give notice of the entry of an order or judgment by mail to parties who have not consented to notice by electronic transmission.

**C. Service of Orders**

If the court directs a party to prepare a proposed order or judgment, the drafting party shall serve, as soon as practicable after notification of the entry of the order or judgment, a paper copy of the order on all contesting parties who have not consented to service by electronic transmission. Conformed copies of orders and judgments will be available for collection at the clerk's office. The clerk will mail conformed copies to the drafting party if a stamped, addressed envelope is included with the copies of the proposed order or judgment submitted to chambers.

**X. TECHNICAL FAILURES**

An ECF User who is unable to effect a filing through the Internet due to a technical failure should document the incident and report the occurrence to the Clerk's Office. An ECF User whose filing is made untimely as the result of a technical failure may seek appropriate relief from the court.

**XI. PUBLIC ACCESS**

**A. Internet Access**

- 1. Viewing documents** Any person or organization may access the ECF system at <https://ecf.gub.uscourts.gov> by establishing an account with the Public Access to Electronic Records (PACER) Service Center and obtaining a login and password. Registration may be made online at <http://pacer.psc.uscourts.gov> or by calling the PACER Service Center at (800) 676-6856 or (210) 301-6440. Such access will allow only retrieval of docket sheets and documents.
- 2. Filing documents** In addition to the ability to retrieve documents at the court's ECF site, ECF Users may file documents with the court over the Internet. ECF Users receiving a Notice of Electronic Filing via e-mail will not be charged for an initial, single retrieval of a filing download, viewing or printing of a document when accessing the document directly through the link in the e-mail notification.

**B. Access at Court**

During regular business hours (8:00 a.m. to 3:00 p.m.), electronic access to documents is available at the court (4<sup>th</sup> Floor, U.S. Courthouse, 520 West Soledad Avenue, Hagatna, Guam). There are no fees for the electronic viewing of docket records and documents at the clerk's office.

**C. Conventional Copies; Certified or Exemplified Copies**

Conventional and certified/exemplified copies of electronically filed documents may be obtained from the clerk at fees specified in the Bankruptcy Court Miscellaneous Fee Schedule as authorized by 28 U.S.C. § 1930.

**D. Electronic Public Access Charges**

Charges for electronic access to court records and documents are described in the Electronic Public Access Fee Schedule set by the Judicial Conference, pursuant to 28 U.S.C. § 1930. For public users obtaining information through a federal judiciary Internet site, there is a fee of 7 cents per page, with the total for any document not to exceed the fee for 30 pages (\$2.10). Note that each attachment to a document in a docket entry is a separate document for purposes of this rule. For printing copies of any record or document accessed electronically at a public terminal at the court, there is a fee of 10 cents per page.

**XII. FILING OF PAPER DOCUMENTS**

Non-ECF Users may continue to file documents conventionally by submitting paper documents in accordance with the following provisions. Pursuant to the order adopting these procedures, the provisions below shall govern in the event of any conflict with a local rule or general order.

**A. Paper Quality**

Documents must be printed on white, unglazed, opaque, medium weight (20 lb.) paper capable of producing a good quality image when scanned using the court's equipment and software. Text must not be highlighted.

**B. Paper Size**

All documents, including exhibits, must be on standard letter size (8.5" x 11") paper. The filing party is responsible for reducing larger size documents to the standard letter size and for copying smaller size documents on standard letter size sheets of paper.



**C. Assembly**

Documents submitted for filing shall be bound only by binder clips or clamps. Documents shall not be bound by staples, prong fasteners or standard metal or plastic paper clips. Documents may not contain tabs. Exhibits may be marked by noting the exhibit letter or number at the bottom of the first page of the exhibit or by including a separation sheet marked with the exhibit letter or number.

**D. Text and Margins**

The Local Rules with respect to font size and style and margins do not apply to Official and Procedural Bankruptcy Forms, local forms (generally identified by a form ID at the bottom of the document), and any other papers as directed by the court.

**E. Length**

A document exceeding 40 pages must be separated into 2 or more parts. Multiple parts of a separated document shall be identified, for example, as being "Part 1 of 3," "Part 2 of 3", and "Part 3 of 3." A document should attach only the germane part of an exhibit rather than the entire exhibit, without prejudice to the filing party's right to file a supplemental or complete exhibit, or to a responding party's right to file an alternate or more complete exhibit.

**F. Number of Copies**

Only the original document and one copy need to be presented for filing, in addition to copies being returned to the filing party (limited to five).

**G. Non-Storage of Paper Documents**

Because the official record consists of the electronic images of documents stored in the court's system, the court may dispose of paper documents immediately after scanning and docketing.

**H. Mailing Matrix**

Only a debtor not represented by an attorney and who did not receive assistance from a bankruptcy petition preparer may file a creditor mailing matrix on paper. Otherwise, the mailing matrix to be filed with the bankruptcy petition shall be submitted on a virus-checked computer diskette as an ASCII Text (\*.txt) file. Whether submitted on paper or on 3.5" computer diskette, the matrix shall be formatted according to the CM/ECF Style Guide issued by the clerk.

### **XIII. PRIVACY CONCERNS**

- A. In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or by paper, unless otherwise ordered by the Court, or required by statute, a federal rule of procedure, or the Official Bankruptcy Forms:

**(1) Social Security numbers.** If an individual's social security number must be included in a pleading, only the last four digits of that number should be used (*i.e.*, XXX-XX-6789). However, in bankruptcy cases, the debtor(s) shall submit a Statement of Social Security Number(s) (Form B21) at the time the petition is filed. If the bankruptcy petition is filed electronically, the Form B21 must be submitted in paper form to the Clerk's Office no later than one business day after the petition was filed. The debtor(s) must report the full nine-digit Social Security number(s) of the debtor(s) in this document to be submitted in paper form— not filed — with the Clerk's Office. This document will be used for internal purposes only and will not be part of the public record. Failure to timely submit Form B21 may result in the dismissal of the case.

**(2) Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used. In bankruptcy cases, on Schedule I of Official Bankruptcy Form 6, list the relationship and the age of the debtor's dependent(s) (*i.e.*, son, age 6).

**(3) Dates of birth.** If an individual's date of birth must be included in a pleading, only the year should be used. In bankruptcy cases, on Schedule I of Official Bankruptcy Form 6, list the age of each of the debtor's dependents.

**(4) Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used. In bankruptcy cases, on Schedules D, E, and F of official Bankruptcy Form 6, debtors, if they choose, may include their full account numbers to assist the trustee and creditors.

- B. In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an

unredacted document in paper form under seal with the Clerk's Office. The document must contain the following heading on the document: "SEALED DOCUMENT PURSUANT TO E-GOVERNMENT ACT OF 2002." This unredacted document shall be retained by the Court as part of the record until further order of the Court. The party must also file a redacted copy of the document for the public file.

- C. The responsibility for redacting these personal data identifiers rests solely with counsel and the parties. The Clerk's Office will not review each pleading for compliance with this rule.